

UNITED STATES DISTRICT COURT
DISTRICT COURT OF MASSACHUSETTS

C.A. No. 05-11658JLT

CHRISTOPHER MANGO,

Plaintiff (Pro se)

v.

PROVINCETOWN POLICE DEPARTMENT,
CHIEF SCHUYLER 'TED' MEYER III,
OFFICER DAVID DITACHIO,
PROVINCETOWN BOARD OF SELECTMEN,
MARY JO-AVELLAR, CHAIR
PROVINCETOWN TOWN MANAGER
KEITH A. BERGMAN, TOWN MANAGER
and ATTORNEY GENERAL TOM REILLY,

Defendants

DEFENDANTS, PROVINCETOWN
BOARD OF SELECTMEN AND
PROVINCETOWN POLICE
DEPARTMENT'S MOTION TO
DISMISS

Now come defendants Provincetown Police Department and Provincetown Board of Selectmen (collectively, "municipal defendants"), and hereby move this Honorable Court, pursuant to F.R.C.P. 12(b)(6), to dismiss the plaintiff's Complaint against them in its entirety. As grounds therefore, the municipal defendants state that the plaintiff's Complaint fails to state a cause of action against them, and that they are therefore entitled to dismissal of the Complaint as a matter of law. As further support, the municipal defendants rely upon the attached Memorandum of Law.

WHEREFORE, in view of the foregoing, the municipal defendants respectfully request that the within motion be allowed, and that all claims against them set forth in the plaintiff's Complaint be dismissed.

DEFENDANTS

By their attorneys,

/s/ Jonathan M. Silverstein

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